

EXHIBIT 6

to

**DECLARATION OF PAUL D.
BRACHMAN IN SUPPORT OF
DEFENDANT'S RESPONSE TO
PLAINTIFF SIS'S EVIDENTIARY
PROFFER REGARDING INTUITIVE'S
MOTION IN LIMINE #1**

Message

From: Kirwan, Perry [Perry.Kirwan@bannerhealth.com]
Sent: 3/2/2020 3:50:07 PM
To: Keith Johnson [krjohnson@sis-usa.com]
Subject: RE: intuitive letter on reprocessing

No I don't. Allegedly – Dr Patel is supposed to be in this meeting this afternoon so hoping I can get with him afterwards and see if we can breath some action back into this. I do know one thing – this isn't going to move an inch without him.

From: Keith Johnson <krjohnson@sis-usa.com>
Sent: Monday, March 2, 2020 2:45 PM
To: Kirwan, Perry <Perry.Kirwan@bannerhealth.com>
Subject: [EXTERNAL] RE: intuitive letter on reprocessing

Do you think our robotic program is dead at Banner?

Keith Johnson | Executive Vice President
Sales and Clinical Programs
Surgical Instrument Service Co., Inc.
Corp: [800.747.8044](tel:800.747.8044) | Cell: [623.687.5056](tel:623.687.5056)
www.sis-usa.com

----- Original message -----

From: "Kirwan, Perry" <Perry.Kirwan@bannerhealth.com>
Date: 3/2/20 1:27 PM (GMT-07:00)
To: Keith Johnson <krjohnson@sis-usa.com>
Subject: RE: intuitive letter on reprocessing

Wasn't really looking for a response as much as I wanted to show that Intuitive's general counsel is now in on the act.

We actually have a meeting today with Intuitive regarding the AMP program. That ought to be entertaining

From: Keith Johnson <krjohnson@sis-usa.com>
Sent: Monday, March 2, 2020 1:12 PM
To: Kirwan, Perry <Perry.Kirwan@bannerhealth.com>
Subject: [EXTERNAL] Re: intuitive letter on reprocessing

We are not reprocessing. Repairing, not altering.

Any thoughts from Corporate on this? Same old crap. Doesn't mean anything.

Keith Johnson | Executive Vice President
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www.sis-usa.com

From: Kirwan, Perry <Perry.Kirwan@bannerhealth.com>

Sent: Monday, March 2, 2020 11:26:27 AM

To: Keith Johnson <krjohnson@sis-usa.com>

Subject: FW: intuitive letter on reprocessing

Check this out – came from Intuitive’s legal counsel which is a first compared to letters that I’ve seen in the past which were from sales people/managers

From: Bowen, Doug <Doug.Bowen@bannerhealth.com>

Sent: Monday, March 2, 2020 10:32 AM

To: Kirwan, Perry <Perry.Kirwan@bannerhealth.com>; Lauder, Gregg <Gregg.Lauder@bannerhealth.com>; Frank, Anthony P <Anthony.Frank@bannerhealth.com>; Groesbeck, John D <John.Groesbeck@bannerhealth.com>; Buehrle, Jeff <Jeff.Buehrle@bannerhealth.com>; Patel, Nirav Y. <Nirav.Patel@bannerhealth.com>

Subject: intuitive letter on reprocessing

Letter sent to Jeff with a cc to me.

Intuitive reinforcing their position against reprocessing...

Thx.

db